IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 13995 of 2004

Between:

G. Srinivasa Rao, S/o Govinda Rao, Hindu,
Santha Sita Rama Puram Village, Etcherla (M), Srikakulam District.

..... PETITIONER

AND

1 Divisional Electrical Engineer, Operation, Srikakulam EPDCL.
2 The Gram Sarpanch, Santha Sitarampuram Village,
Etcherla Mandal, Srikakulam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to a Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent though the petitioner working continuously and also submitting the pay bills regularly through the 2nd respondent, not releasing the monthly regular salaries since February, 1998 onwards is illegal, improper and highly arbitrary and consequently, the petitioner is entitled the salaries regularly.

Counsel for the Petitioner:SMT.A.PADMA

Counsel for the Respondent No.1: Mr. SUBBA RAO.

Counsel for the Respondent No.2: MR.SRINIVAS DAMMALAPATI

The Court at the stage of admission made the following :

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13995 of 2004

ORDER:

The petitioner claims that he is working as Village Electrical Worker under the control of the second respondent and his salary has to be paid by the 1st respondent as a grant-in-aid for working in the 2nd respondent-panchayat. The petitioner submits that he was paid salary regularly till February, 1998 and subsequently, his salary was not being paid, and therefore, he is made to work without wages since March, 1998. The petitioner further submits that on 10.2.2002, he submitted a representation to the respondents to release his salary, and his wife also made a representation on 14.8.2002 with similar request. The petitioner further submits that the 1st respondent issued proceedings dated 20.8.2002 directing the Additional Assistant Engineer, Operation, Srikakulam, to submit a detailed report with specific remarks for taking further action in the matter. The petitioner further submits that on 15.4.2003, the 2nd respondent addressed a letter to the 1st respondent to arrange payment of the salary of the petitioner, but the 1st respondent so far did not take any action in the matter. The petitioner, therefore, approached this Court seeking a direction to the respondents to pay his salary for the entire period from March, 1998.

As per the contention of the petitioner, the 2nd respondent addressed a letter dated 15.4.2003 to the 1st respondent, requesting him to release the salary of the petitioner by certifying that he has been working in the panchayat regularly. Since the matter is pending instructions before the 1st respondent, it would be appropriate to direct the 1st respondent to pass appropriate orders according to the rules.

In the light of the above circumstances, the 1st respondent is directed to pass appropriate orders on the letter of the 2nd respondent dated 15.4.2003, as per rules, within two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

20th September, 2004

Nn.

Copy to:

1. Divisional Electrical Engineer, Operation, Srikakulam EPDCL.
2. The Gram Sarpanch, Santha Sitarampuram Village,
   Etcherla Mandal, Srikakulam.

3.Two C.D copies.